

BILLY J. WILLIAMS, OSB #901366

Acting United States Attorney

District of Oregon

TIM SIMMONS, OSB #92461

tim.simmons@usdoj.gov

Assistant United States Attorney

405 E. 8th Avenue, Suite 2400

Eugene, Oregon 97401-2708

Telephone: 541-465-6740

Facsimile: 503-465-9617

Attorneys for United States

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

Plaintiff,

v.

Civil No. 1:14-cv-01738-CL

**GENERAL JUDGMENT
OF FORECLOSURE**

THE ESTATE OF LaFAWN J. BROOKS
Deceased; AARON D. BROOKS;
DYNAMIC STRATEGIES INC.;
VELOCITY INVESTMENTS LLC, a
Limited Liability Company; MIDLAND
FUNDING LLC; ASSET ACCEPTANCE
LLC; and THE UNKNOWN HEIRS,
DEVISEES, SUCCESSORS IN INTEREST
AND CLAIMANTS TO THE ESTATE OF
LaFAWN J. BROOKS, Deceased,

Defendants.

This civil action is before the Court for entry of a General Judgment of Foreclosure based on an Order of Default against The Estate of LaFawn J. Brooks, Deceased; and Defendants Aaron D. Brooks; Dynamic Strategies Inc.; Velocity Investments LLC, a limited liability company; Midland Funding LLC; Asset Acceptance LLC; and the unknown heirs, devisees, successors in interest and claimants to The Estate of LaFawn J. Brooks, Deceased, previously filed herein.

IT IS ORDERED, ADJUDGED, AND DECREED:

1. That Plaintiff recover from The Estate of LaFawn J. Brooks, Deceased \$97,020.15 (\$43,528.16 principal and \$12,666.15 interest accrued through August 4, 2014, plus \$30,128.45 interest credit subsidy subject to recapture, and \$10,697.39 administrative fees and interest) with interest accruing thereafter at the daily rate of \$7.75 until judgment and interest thereafter at the annual rate (pursuant to 28 USC § 1961) of 0.26 percent computed daily and compounded annually after judgment until paid, and \$1,248.91 for Plaintiff's costs and disbursements incurred herein, plus costs of sale.

2. That the indebtedness referred to in paragraph 1 is secured by a real estate deed of trust dated April 12, 1994, recorded April 12, 1994, as Instrument No. M0200540 in Book 99 at Page 549, Official Records of Lake County, Oregon; and that Plaintiff's real estate deed of trust is a valid existing lien on the real property described as follows:

The North 40 feet of Lot 8 in Block "D" of Lane's Addition to the Town of Lakeview, Lake County, Oregon

and is superior to the liens of all Defendants herein.

3. That Plaintiff's real estate deed of trust be foreclosed and the property described in paragraph 2 be sold at public auction by the United States Marshal to the highest bidder for cashier's check or certified check payable ten percent (10%) at the time of the bid and the balance to be paid by the end of the business day on a day determined at the time of the sale and made payable to "Clerk, U.S. District Court" to be deposited with the Clerk of the United States District Court; and that the proceeds of the sale shall be applied as follows:

- (a) First, to the cost and expense of making the sale.
- (b) Second, in satisfaction of the sums due Plaintiff as set forth in paragraph 1.
- (c) Third, that the surplus, if any, be paid to the Clerk of this Court to be disbursed in accordance with further order of the Court.

4. That the Defendants and all persons claiming any interest, lien or other right by, through, or under them are forever barred and foreclosed from any interest in, lien upon, or other right with respect to the property or any part thereof, except the right of redemption provided by law.

5. That Plaintiff or any other party to this suit may become the purchaser at the sale of the real property. The purchaser is entitled to exclusive possession of the real property from and after the date of sale and is entitled to such remedies as are available at law to secure possession, including a writ of assistance, if Defendants, or any of them, or any other party or person shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for possession.

6. That Plaintiff shall have such other and further relief as is necessary to carry out the above.

DATED this 9 day of June 2015



MARK D. CLARKE
UNITED STATES MAGISTRATE JUDGE

PRESENTED BY:
BILLY J. WILLIAMS
Acting United States Attorney
District of Oregon

/s/ Tim Simmons
TIM SIMMONS, OSB #92461
e-mail: tim.simmons@usdoj.gov
Assistant United States Attorney
405 E. 8th Ave., Suite 2400
Eugene, Oregon 97401-2708
Telephone: 541-465-6740
Facsimile: 541-465-6917
Attorneys for Plaintiff